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USIAEA

E.O. 11652: NA

TAGS: MNUC, IN

SUBJECT: APPLICATION OF IAEA SAFEGUARDS IN INDIA

1. DURING HEARINGS LAST WEEK BEFORE SENATE FOREIGN RELATIONS COMMITTEE AND THIS WEEK BEFORE HOUSE INTERNATIONAL RELATIONS COMMITTEE ON PROPOSED EXPORT OF NUCLEAR FUEL TO INDIA, WITNESS PAUL LEVENTHAL (A FORMER COMMITTEE STAFFER AND PRESENTLY WITH THE NATURAL RESOURCES DEFENSE COUNCIL STRONGLY OPPOSED THE PROPOSED EXPORT AND, AMONG OTHER THINGS, MADE SEVERAL CHARGES REGARDING THE "INEFFECTIVENESS OF IAEA SAFEGUARDS IN INDIA." PORTIONS OF TESTIMONY AND
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QUESTIONS HE SUGGESTED HOUSE COMMITTEE SHOULD ASK STATE ARE IN FOLLOWING PARAGRAPHS. CHARGES AND QUESTIONS ARE BEING FORWARDED FOR YOUR INFORMATION.

2. (EXCERPTS FROM LEVENTHAL TESTIMONY) "IF THE SAFEGUARDS REPORTS OF THE IAEA WERE AVAILABLE TO THE PUBLIC... SAFEGUARDS AS APPLIED IN INDIA WOULD BE SEEN TO BE THE

WORST IN THE WORLD. INDIA RANKS WITH SOUTH AFRICA AS BEING THE MOST DIFFICULT AND LEAST COOPERATIVE NATION IN WHICH THE IAEA APPLIES SAFEGUARDS. ...INDIA IS ONE OF THE NATIONS THAT ROUTINELY 'MAKES SPORT' OUT OF NEGOTIATING THE WEAKEST POSSIBLE SAFEGUARDS TO BE APPLIED ON ITS IMPORTED FACILITIES AND MATERIALS.

"INDIA, FOR EXAMPLE, HAS RESISTED THE PLACEMENT OF IAEA CAMERA AND TAMPER-INDICATING SEALS AT THE US-SUPPLIED TARAPUR REACTORS BECAUSE THESE SURVEILLANCE AND CONTAINMENT MEASURES ARE NOT REQUIRED UNDER ITS UMBRELLA AGREEMENT WITH THE IAEA....

"OTHER SAFEGUARDS DIFFICULTIES ENCOUNTERED BY THE IAEA IN INDIA INCLUDE A LACK OF PHYSICAL ACCESS AT TIMES TO THE PLUTONIUM-BEARING SPENT FUEL OF THE TARAPUR REACTORS, MAKING IMPOSSIBLE THE MEASUREMENTS AND THE TAKING OF INVENTORY THAT ARE NEEDED TO ENSURE THAT NO MATERIAL HAS BEEN DIVERTED TO WEAPON-MAKING. FURTHER, IAEA INSPECTORS HAVE BEEN HARRASSED BY INDIAN NUCLEAR OFFICIALS. IN ONE CASE, AS DOCUMENTED IN THE NON-PROLIFERATION HEARINGS IN 1975 OF THE SENATE GOVERNMENT OPERATIONS COMMITTEE, INDIAN OFFICIALS REFUSED TO PERMIT AN IAEA INSPECTOR TO TAKE WITH HIM FOR FURTHER ANALYSIS AT IAEA HEADQUARTERS IN VIENNA A CASSETTE TAPE CONTAINING CRUDE MEASUREMENTS OF THE PLUTONIUM CONTENT OF THE TARAPUR SPENT FUEL." LIMITED OFFICIAL USE

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"....THE FUEL FABRICATION PLANT AT HYDERABAD...IS ONE OF THE BULK-HANDLING PLANTS IN WHICH IAEA INSPECTORS ARE UNABLE TO VERIFY NUCLEAR MATERIAL BALANCES. ...ASTONISHLY, THERE IS NO MEASUREMENT OF SCRAP FROM THE PLANT TO VERIFY THAT THE LOSSES ARE NOT, IN FACT, THEFTS.

3. QUESTIONS WHICH WITNESS LEVENTHAL SUGGESTED THE COMMITTEE POSE TO THE EXECUTIVE BRANCH INCLUDED:

(1) HOW IS THE UNITED STATES GOING TO GET BACK THE TARAPUR SPENT FUEL IN THE EVENT THAT TIME RUNS OUT AND INDIA STILL HAS REFUSED TO ACCEPT FULL-SCOPE SAFEGUARDS?

(2) WHAT SAFEGUARDS ARE APPLIED IN INDIA TODAY? ARE THEY EFFECTIVE? ARE THERE CAMERAS AND SEALS IN PLACE AT TARAPUR; AT HYDERABAD? HAVE IAEA INSPECTORS HAD FULL ACCESS TO TARAPUR SPENT FUEL AND HAS THE FUEL BEEN IN A CONDITION TO BE MEASURED AND INVENTORIED? ARE THERE INTERNAL IAEA REPORTS OF HARRASSMENT AND LACK OF COOPERATION BY INDIAN OFFICIALS?

(3) WHAT IS THE STATUS OF THE PLUTONIUM PRODUCED THROUGH THE USE OF U.S.-SUPPLIED HEAVY WATER IN THE CIRUS REACTOR? IS THE US OFFER TO SUPPLY INDIA WITH MORE HEAVY WATER BEING USED TO WIN THE APPLICATION OF SAFEGUARDS ON THE CIRUS PLUTONIUM?

(4) WHAT IS THE CUMULATIVE MUF AT THE HYDERABAD FUEL FABRICATION PLANT HANDLING MATERIAL FOR TARAPUR? HAVE THE MUF FIGURES BEEN VERIFIED BY THE IAEA? HOW? WHAT PARTS OF THE PLANT AND OF THE OVERALL HYDERABAD FUEL COMPLEX ARE UNSAFEGUARDED? HOW DOES THIS IMPACT ON SAFEGUARDS ON TARAPUR FUEL?

(5) IS INDIA ENGAGED IN DEVELOPING UNSAFEGUARDED URANIUM LIMITED OFFICIAL USE

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ENRICHMENT CAPABILITY? COULD THE IAEA DETECT DIVERSION OF ENOUGH URANIUM FROM HYDERABAD FOR FURTHER ENRICHMENT INTO MATERIAL FOR SEVERAL ATOMIC WEAPONS IN AN UNSAFEGUARDED CENTRIFUGE OR LASER ENRICHMENT PLANT?

(6) IS THE STATE DEPARTMENT SEEKING TO, OR PREPARED TO SEEK TO, FIND AN ALTERNATIVE SUPPLIER OF LOW-ENRICHED URANIUM TO INDIA IN THE EVENT THAT U.S. SUPPLIES MUST BE CUT OFF UNDER THE NON-PROLIFERATION ACT? HOW DOES SUCH ACTION IMPACT ON IMPLEMENTATION OF THE ACT AND ON HOW OTHER NATIONS PERCEIVE ITS IMPLEMENTATION?

(7) TO WHAT EXTENT CAN WE RELY ON U.S. INTELLIGENCE ESTIMATES THAT INDIA HAS SUSPENDED ITS NUCLEAR WEAPONS AND EXPLOSION PROGRAM? WHY SHOULD U.S. INTELLIGENCE ESTIMATES BE RELIED UPON TO ASSURE THAT SAFEGUARDS ARE BEING EFFECTIVELY APPLIED TO FOREIGN PLANTS, IN VIEW OF THE POLICY OF THE NRC THAT INTELLIGENCE ESTIMATES ARE INSUFFICIENT TO SERVE AS A DETERMINING FACTOR AS TO WHETHER U.S. PLANTS ARE ADEQUATELY SAFEGUARDED AND SECURED?

4. COPY OF TESTIMONY WILL BE POUCHED, ALSO, FOR YOUR INFORMATION. VANCE

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